

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Marisa Dubuc on May 17, 2010.

The application has been amended as follows:

In the Claims

Claim 1. (Currently amended) A method for automating recurrent electronic transactions conducted over a network, comprising:

gathering, by a purchasing system, data from an application executing on a computer device in response to electronic activities conducted by a network user of the computer device, the electronic activities subject to the gathering comprising accessing a web site, performing a detectable user action on a web page, drafting an email, searching a web-based electronic search engine, entering a new task or accessing an existing task in an electronic task folder, and creating, editing, or viewing a document; wherein the data gathered includes data collected in response to each of the electronic activities conducted by the network user;

performing, via the purchasing system, analysis of the electronic activities, the analysis including:

comparing the electronic activities with previously-conducted electronic activities by the network user;

applying policies defined by the network user to the electronic activities; and
determining whether the policies defined by the network user are in conflict with the transaction;

the purchasing system inferring an intent to execute a transaction by the network user, the inference based upon results of the analysis and absent any explicit action by the network user to execute the transaction; and

the purchasing system automatically executing the transaction on behalf of the network user upon determining the policies defined by the network user are not in conflict with the transaction, the automatically executing the transaction including executing a purchase of a service/product on behalf of the network user;

~~wherein the analysis includes:~~
~~comparing the electronic activities with previously-conducted electronic activities by the network user;~~

~~applying user-defined policies to the electronic activities; and~~
~~determining whether the user-defined policies of the network user are in conflict with the transaction;~~

~~wherein the transaction is executed upon determining the user-defined policies are not in conflict with the transaction.~~

Claim 10. (Currently amended) A non-transitory storage medium comprising machine-readable computer program code for automating recurrent electronic transactions conducted over a network, the storage medium including instructions for causing a computer to implement a method comprising:

gathering, by a purchasing system, data from an application executing on a computer device in response to electronic activities conducted by a network user of the computer device, the electronic activities subject to the gathering comprising accessing a web site, performing a detectable user action on a web page, drafting an email, searching a web-based electronic search engine, accessing a personal information calendar, entering a new task or accessing an existing task in an electronic task folder, and creating, editing, or viewing a document; wherein the data gathered includes data collected in response to each of the electronic activities conducted by the network user;

performing analysis of the electronic activities, the analysis including:

comparing the electronic activities with previously-conducted electronic activities by the network user;

applying policies defined by the network user to the electronic activities; and
determining whether the policies defined by the network user are in conflict with the transaction;

inferring an intent to execute a transaction by the network user, the inference based upon results of the analysis and absent any explicit action by the network user to execute the transaction; and

executing the transaction on behalf of the network user upon determining the policies defined by the network user are not in conflict with the transaction, the automatically executing the transaction including executing a purchase of a service/product on behalf of the network user;

~~wherein the analysis includes:~~

~~comparing the electronic activities with previously-conducted electronic activities by the network user; and~~

~~applying user-defined policies to the electronic activities.~~

Claim 12. (Currently amended) The storage medium of claim 10, wherein the comparing the electronic activities with previously-conducted electronic activities further comprises:

collecting data entered by the network user;

parsing the data by comparing the data to data stored in a database containing the previously-conducted electronic activities, the parsing resulting in a suggested electronic transaction for execution;

searching the database for related resources associated with the suggested electronic transaction; and

searching a profile database storing policies and rules created by the network user, the policies and rules operable for specifying conditions for authorizing and executing the suggested electronic transaction;

wherein the policies and rules include:

placing an upper limit on an amount of money that is authorized to be spent on a transaction; and

placing a time limit on when a transaction may be executed;

prescribing authorized vendors, suppliers, or entities through which a transaction may be entered; and

specifying delivery options for items and services associated with a transaction;

~~wherein the analysis includes:~~

~~comparing the electronic activities with previously conducted electronic activities by the network user;~~

~~applying user-defined policies to the electronic activities; and~~

~~determining whether the user-defined policies of the network user are in conflict with the transaction;~~

~~wherein the transaction is executed upon determining the user-defined policies are not in conflict with the transaction.~~

Claim 19. (Currently amended) A system for automating recurrent electronic transactions conducted over a network, comprising:

a computer system; and

a purchasing system executed via the computer system, the purchasing system implementing a method, comprising:

gathering data from an application executing on a computer device in response to electronic activities conducted by a network user of the computer device, the electronic activities

subject to the gathering comprising accessing a web site, performing a detectable user action on a web page, drafting an email, searching a web-based electronic search engine, accessing a personal information calendar, entering a new task or accessing an existing task in an electronic task folder, and creating, editing, or viewing a document; wherein the data gathered includes data collected in response to each of the electronic activities conducted by the network user;

performing analysis of the electronic activities, the analysis including:

comparing the electronic activities with previously-conducted electronic activities

by the network user;

applying policies defined by the network user to the electronic activities; and

determining whether the policies defined by the network user are in conflict with

the transaction;

inferring an intent to execute a transaction by the network user, the inference based upon results of the analysis and absent any explicit action by the network user to execute the transaction; and

automatically executing the transaction on behalf of the network user upon determining the policies defined by the network user are not in conflict with the transaction, the automatically executing the transaction including executing a purchase of a service/product on behalf of the network user;

wherein the analysis includes:

~~comparing the electronic activities with previously-conducted electronic activities by the network user;~~

~~applying user-defined policies to the electronic activities; and~~

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determining whether the user-defined policies of the network user are in conflict with the transaction;

wherein the transaction is executed upon determining the user-defined policies are not in conflict with the transaction.

REASONS FOR ALLOWANCE

Claims 1, 3-10, 12-14, 16-20 and 22-24 are allowed. The following is an examiner's statement of reasons for allowance.

Claim 1

The prior art of record neither anticipates nor fairly and reasonably renders obvious the method of claim 1 for automating recurrent electronic transactions conducted over a network, comprising: gathering, by a purchasing system, data from an application executing on a computer device in response to electronic activities conducted by a network user of the computer device, the electronic activities subject to the gathering comprising accessing a web site, performing a detectable user action on a web page, drafting an email, searching a web-based electronic search engine, entering a new task or accessing an existing task in an electronic task folder, and creating, editing, or viewing a document; wherein the data gathered includes data collected in response to each of the electronic activities conducted by the network user; performing, via the purchasing system, analysis of the electronic activities, *the analysis including: comparing the electronic activities with previously-conducted electronic activities by the network user; applying policies defined by the network user to the electronic activities; and determining whether the policies defined by the network user are in conflict with the transaction;* the purchasing system inferring an intent to execute a transaction by the network user, the inference based upon results of the analysis and absent any explicit action by the network user to execute the transaction; and the purchasing system automatically executing the transaction on behalf of the network user *upon determining the policies defined by the network user are not in*

conflict with the transaction, the automatically executing the transaction including executing a purchase of a service/product on behalf of the network user.

The prior art does not teach the claim taken as a whole.

The most relevant prior art is Miller et al., US 2002/0046093 A1, previously cited (hereafter referred to as “Miller”). Miller teaches a method for automating recurrent electronic transactions conducted over a network, comprising: gathering, by a purchasing system, data from an application executing on a computer device in response to electronic activities conducted by a network user of the computer device (§§0131 and 0251); the electronic activities subject to the gathering comprising accessing a web site, performing a detectable user action on a web page, and searching a web-based electronic search engine wherein the data gathering includes data collected in response to each of the electronic activities conducted by the network user (§§0131 and 0191); performing, via the purchasing system, analysis of the electronic activities (§§0131, 0132 and 0191), the analysis including: comparing the electronic activities with previously-conducted electronic activities by the network user (§§0132-0134 and 0192); and applying policies to the electronic activities (§§0159 and 0163); and the purchasing system inferring an intent to execute a transaction by said network user without any explicit action by the user to execute the transaction (§§00126-00131).

While Miller teaches that the activities subject to gathering comprise accessing a web site, performing actions on a web page and search a web-based search engine, it does not

specifically teach gathering data on user activities comprising drafting an email, entering a new task or accessing an existing task in an electronic task folder, and creating, editing or viewing a document. While Miller teaches the analysis including comparing activities and applying policies, Miller does not anticipate nor render obvious the analysis including: applying policies *defined by the network user* to the electronic activities; and *determining whether the policies defined by the network user are in conflict with the transaction*. Miller further does not anticipate nor render obvious the purchasing system automatically executing the transaction on behalf of the user upon determining the policies defined by the network user are not in conflict with the transaction including executing a purchase of a service/product on behalf of the network user.

Another relevant art, previously cited, is Farnham et al., US 2003/0158855 A1 (hereafter referred to as “Farnham”). Farnham teaches a system and method for deriving associations between objects, events and the context of computer users and renders obvious gathering data on electronic activities conducted by the user comprising drafting an email entering a new task or accessing an existing task in an electronic task folder, and creating, editing or viewing a document including data collected in response to activities (e.g. ¶¶0035-0038, 0048-0050 and Table 1A), and comparing the electronic activities with previously conducted electronic activities by the network user (e.g. ¶¶0057 and 0080).

However, Farnham does not anticipate nor render obvious applying policies *defined by the network user* to the electronic activities of the network user, *determining whether the policies defined by the network user are in conflict with the transaction*, and the purchasing system automatically executing the transaction on behalf of the user upon determining the policies

defined by the network user are not in conflict with the transaction including executing a purchase of a service/product on behalf of the network user.

A third relevant prior art, previously cited, is Lucas, US 2001/0051905 A1 (hereafter referred to as “Lucas”). Lucas teaches a system and method for monitoring inventory wherein the server electronically tracks and evaluates usage habits and automatically executes on behalf of the customer, i.e. network user, a purchase transaction for items needed (¶¶ 0026, 0082 and 0085-0087).

However, Lucas does not anticipate nor render obvious applying policies *defined by the network user* to the electronic activities of the network user, *determining whether the policies defined by the network user are in conflict with the transaction*, and the purchasing system automatically executing the transaction on behalf of the user *upon determining the policies defined by the network user are not in conflict with the transaction*.

A final prior art, newly cited, is Chow et al., US 6,850,899 B1 (hereafter referred to as “Chow”). Chow teaches a system and method for online shopping wherein a shopper can define policies with regards to purchases and transactions are made only if the policies are not in conflict with the transaction (e.g. Abstract and col. 4, lines 34-50). However, Chow teaches that a shopper, i.e. a party other than the buyer, i.e. network user, defines the policies for the network user. Furthermore, Chow teaches that the buyer places the items in a basket, but does not execute a purchase; the shopper separately executes a purchase (e.g. col. 4, lines 51 through col. 5, line 24).

Thus, Chow does not anticipate nor render obvious applying policies *defined by the network user* to the electronic activities of the network user, determining whether the policies *defined by the network user are in conflict with the transaction*, and the purchasing system automatically executing the transaction on behalf of the user upon determining *the policies defined by the network user* are not in conflict with the transaction.

Thus, the prior art neither anticipates nor fairly and reasonably renders obvious the method of claim 1 taken as a whole.

Claims 3-9

Claims 3-9 are dependencies of independent claim 1 and are allowable over the prior art for the reasons identified above with respect to claim 1.

Claim 10

Claim 10 is directed to an apparatus comprising a non-transitory storage medium including instructions to cause a computer to perform a method comprising steps parallel to and consistent with the steps of method claim 1 and is allowable over the prior art for the reasons identified above with respect to claim 1.

Claims 12-14 and 16-18

Claims 12-14 and 16-18 are dependencies of independent claim 10 and are allowable over the prior art for the reasons identified above with respect to claim 10.

Claim 19

Claim 19 is directed to an apparatus comprising a computer system and a purchasing system executed via the computer system implementing a method comprising steps parallel to and consistent with the steps of method claim 1 and is allowable over the prior art for the reasons identified above with respect to claim 1.

Claims 20 and 22-24

Claims 20 and 22-24 are dependencies of independent claim 19 and are allowable over the prior art for the reasons identified above with respect to claim 19.

Conclusion

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

The following prior art made of record and not relied upon is considered pertinent to applicant's disclosure, but do not cure the deficiencies of the above prior art: (1) unknown author, "Marcam Solutions Delivers Advanced Customer Order Management With Release of Protean 3.0," Business Wire, New York, June 30, 1998, pg. 1, discloses a system and method for electronic commerce including enabling a customer to define processing and default rules such as trading partners and shipping rules; and (2) unknown author, "Industrial Manufacturer Wavin

Turns Back Office Systems Into Customer And Partner-Facing Solutions With Blue Martini Software,” PR Newswire, Sept. 24, 2002, discloses a system and method for automatic ordering of products at a minimum inventory level (i.e. a policy).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AMEE A. SHAH whose telephone number is (571)272-8116. The examiner can normally be reached Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Jeffrey A. Smith can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Amee A Shah/
Primary Examiner, Art Unit 3625

AAS
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